

The indictment alleges that the defendant committed certain specific acts. The government need not prove that each and every specific alleged act was committed by the defendant. However, the government must prove that defendant committed at least one of the specific acts. In order to find that the government has proved the defendant committed a specific act, the jury must unanimously agree on which specific act that defendant committed.

For example, if some of you find defendant committed acts relating to Anthony Holmes and the rest of you find the defendant committed acts relating to Melvin Jones, then there is no unanimous agreement on which act has been proved. On the other hand, if all jurors find defendant committed acts relating to Anthony Holmes, then there is unanimous agreement.

CERTIFICATE OF SERVICE

MARC W. MARTIN, an attorney for the Defendant Jon Burge, hereby certifies that I caused filing of the foregoing supplemental jury instruction 6 this 22nd day of June 2010, on the CM/ECF system for the Northern District of Illinois, constituting service of the same.

Respectfully submitted,

/s Marc W. Martin

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